

**LAND SURVEYORS SECTION MEETING  
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,  
PROFESSIONAL ENGINEERS, DESIGNERS, AND LAND SURVEYORS  
MINUTES**

**JULY 29, 2009**

**PRESENT:** Rick Van Goethem, James Rusch, Matthew J. Janiak, and Steven Nielsen

**ABSENT:** Ruth G. Johnson

**STAFF PRESENT:** Yolanda McGowan, Bureau Director; Peggy Wichmann, Legal Counsel; Ben Hanes, Bureau Assistant and other Department staff

**GUESTS:** Francis Thousand, Wisconsin Society of Land Surveyors (WSLS); John Kannard, WSLS

**CALL TO ORDER**

Rick Van Goethem, Chair, called the meeting to order 9:36 a.m. A quorum of four members was present.

**ADOPTION OF AGENDA**

**MOTION:** James Rusch moved, seconded by Steven Nielsen, to approve the agenda as written. Motion carried unanimously.

**APPROVAL OF MINUTES FROM MARCH 5, 2009**

**Changes:**

- Correct the motion on agenda page 2 (to elect Rick Van Goethem as chair) to show that it was seconded by Matthew Janiak, not James Rusch.
- Amend the last sentence on agenda page 3 (under “legislative/administrative rules update”) to read: “Colleen Baird will provide the Section with a formal opinion on whether the Failed Examination Review provisions in Ch 443 apply to Land Surveyors.”

**MOTION:** James Rusch moved, seconded by Matthew Janiak, to approve March 5, 2009 minutes as amended. Motion carried unanimously.

**ELECTION OF OFFICERS FOR 2010**

**NOMINATION:** James Rusch nominated Rick Van Goethem as Chair. The chair called for additional nominations three times before calling the vote. Rick VanGoethem was elected Chair by unanimous vote.

**NOMINATION:** Matthew Janiak nominated James Rusch as Vice-Chair. The chair called for additional nominations three times before calling the vote. James Rusch was elected Vice-Chair by unanimous vote.

**NOMINATION:** Steven Nielsen nominated Matthew Janiak as Secretary. The chair called for additional nominations three times before calling the vote. Matthew Janiak was elected Secretary by unanimous vote.

### **ADMINISTRATIVE REPORT YOLANDA MCGOWAN, BUREAU DIRECTOR**

Yolanda McGowan introduced Peggy Wichmann, legal counsel, and Ben Hanes, summer intern, to the Section.

Yolanda McGowan noted that she had the opportunity to talk with representatives from the Wisconsin Society of Land Surveyors (WSLS), and that they look forward to working with the Section and Department. WSLS will help inform the public and its members of the Department's work.

Yolanda McGowan informed the Board that as of this month (July 2009) licensees may renew their credentials online and print them directly, rather than having them mailed by the Department.

### **EDUCATION & EXAMINATION ISSUES**

#### **Discussion Related to State Exam**

Sue Bird updated the Section on the exam. She noted that the Department is now capable of administering the exam here, so when the contract is up, the Board should consider that.

### **LEGISLATIVE/ADMINISTRATIVE RULES UPDATE**

#### **Review 2/26/09 Correspondence from Wisconsin Society of Land Surveyors (WSLS) related to the Continuing Education Rule**

Francis Thousand (WSLS) appeared before the Section. While he recognized the advantages of online continuing education courses, he stressed the need for in-person interaction in addition to web-based learning.

#### **Review & Approve Final Draft of Land Surveyor Continuing Education Rule**

Colleen Baird appeared before the Section to discuss the draft rule. They discussed the changes recommended by the legislative clearinghouse, and other changes noted by legal counsel.

**MOTION:** Matthew Janiak moved, seconded by Rick Van Goethem, to approve the draft of rule A-E 10.01-10.08, regarding continuing education for land surveyors, as amended. Motion carried unanimously.

Colleen Baird or Peggy Wichmann will make the amendments and send the revised draft, along with the response to the clearinghouse report, to the legislative committee.

## **TRAVEL**

### **Nominate a Delegate for the 2010 NCEES Central Zone Meeting**

**MOTION:** Matthew Janiak moved, seconded by Steven Nielsen, to nominate James Rusch to attend the 2010 NCEES Central Zone Meeting, with Rick Van Goethem as his alternate. Motion carried unanimously.

## **PRACTICE ISSUES**

### **Discussion Related to Unlicensed Practice**

The Division of Enforcement will be working more closely with WSLs to explain the processes used in unlicensed practice cases. Discipline for unlicensed practice is not in the purview of the Section, it is handled independently by the Department. WSLs's request for a professional member on the Unlicensed Practice Steering Committee has been made to the Department, which will examine the legal and other implications raised by this request.

## **CLOSED SESSION**

**MOTION:** Rick Van Goethem moved, seconded by James Rusch, to convene to Closed Session to deliberate on cases involving hearings (s. 19.85 (11) (a), Stats.); to consider licensure or discipline (s. 19.85(1) (b), Stats. to consider individual histories or disciplinary data (s. 19.85(1) (f), Stats.); and to confer with legal counsel (s. 19.85(1) (g), Stats. Motion carried by roll call vote: Rick Van Goethem-yes; James Rusch-yes; Matthew Janiak-yes; Steven Nielsen-yes.

Open Session recessed at 11:42 a.m.

## **RECONVENE TO OPEN SESSION**

**MOTION:** Matthew Janiak moved, seconded by James Rusch, to reconvene into Open Session. Motion carried unanimously.

Open Session reconvened at 1:40 p.m.

## **VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE**

### **Applications Reviewed on July 29, 2009**

The Section took the following action on applications.

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**MOTION:** Matthew Janiak moved, seconded by James Rusch, to act on the applications reviewed at today's meeting as reviewed and signed in the application file and authorize Rick Van Goethem to review the additional information submitted for the intent to deny applications and approve on behalf of the Section. Motion carried unanimously.

**FOR REGISTRATION AS A LAND SURVEYOR**

1. By Written Exam

a. Granted:

1. Belongia, Kristin
2. Denu, Charles J
3. Downing, John
4. Kanthaphixay, Richard
5. Koslo, Daniel J
6. Locy, Craig R
7. Ruetten, Chris J

b. Intent to Deny:

1. Granger, Ronald D
2. Hodges, William
3. Jensen, Jacob S
4. Ruettiger, Nicholas L
5. Schneider, Shane E
6. Vegter, Jace A

**ADJOURNMENT**

**MOTION:** Matthew Janiak moved, seconded by Steven Nielsen, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 1:43 p.m.